

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

MALIBU MEDIA, LLC,)
)
Plaintiff,) Civil Action Case No. 5:19-CV-00834-DAE
)
v.)
)
JOHN DOE,)
)
Defendant.)
)

JOINT MOTION TO MODIFY SCHEDULING ORDER

Plaintiff Malibu Media, LLC and Defendant John Doe request that the Court modify the expert disclosure deadlines in the Court's January 21, 2020 scheduling order [Dkt. 25] from **May 5, 2020 to July 1, 2020 for opening expert disclosures, and from July 7, 2020 to September 2, 2020 for rebuttal expert disclosures**. Good cause exists to grant the parties' request for the following reasons:

1. This is a copyright infringement case in which Plaintiff has alleged copyright infringement over the internet and Defendant has alleged unlawful access to his computer network.
2. Both parties anticipate the need for experts in this case, and that expert discovery may involve examination of electronic devices and other sensitive information. Because of the COIVD-19 pandemic and associated restrictions, conducting these examinations in time to meet the current opening disclosure deadline would be exceptionally burdensome for the parties.
3. Accordingly, the parties ask the Court to grant a reasonable extension of the deadline for expert disclosures under the Scheduling Order as follows:

- a. All parties asserting claims for relief shall file their designation of testifying experts and shall serve on all parties, but not file, the materials required by Fed. R. Civ. P. 26(a)(2)(b) by July 1, 2020;
 - b. Parties resisting claims for relief shall file their designation of testifying experts and shall serve on all parties, but not file, the materials required by Fed. R. Civ. P. 26(a)(2)(b) by September 2, 2020;
4. This extension will not impact any other deadline in the Scheduling Order, and the parties intend to meet the general discovery deadline of October 20, 2020.

For these reasons, the parties respectfully request the Court grant the requested modification to the Scheduling Order. A proposed order is attached.

Dated: April 14, 2020

Respectfully Submitted,

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By: /s/ Paul S. Beik

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CERTIFICATE OF SERVICE

Under the Federal Rules of Procedure. I certify that on April 14, 2020, a copy of the foregoing was served on all parties by the Court's ECF filing system.

/s/ JT Morris
JT Morris